

**REMARKS**

**A. Rejections Under 35 U.S.C. § 102(e)**

The Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,448,506, issued to Glenn et al. In view of the amendments made above, the applicants request reconsideration of these rejections.

Claim 1 has been amended to include the following language, “providing one or more masks, each of said one or more masks including a plurality of probe shapes.” The Glenn reference fails to teach or suggest a step for providing masks having a plurality of probe shapes. Accordingly, applicants respectfully submit that a rejection under 35 U.S.C. § 102(e) is now improper and request that it be withdrawn.

In advance of an obviousness rejection based on the Glenn reference, the applicants strenuously argue that it is not obvious to use the etching method claimed in the present application to manufacture test probes. While similar methodology is known, it has typically been used for manufacturing integrated circuits and for other intricate applications. At the time the present application was filed, to the best of the applicants’ knowledge, the methods disclosed and claimed in the present application were not used to fabricate test probes. Rather, test probes were typically manufactured using mechanical methods such as stamping and machining.

As explained in the present application, stamping and machining both introduce residual stresses parts during manufacturing. As a result, the parts may fatigue and fail over time. The applicants discovered that by using chemical etching, they could produce a test probe with little or no residual stresses. Claim 1 has been amended to include the following language, which further limits the claim so that it more precisely covers the present invention, “wherein each of said plurality of probes contains fewer residual stresses than an identically-shaped probe formed using a mechanical stamping or machining process.”

By the amendments made above, amended claim 1 is believed to be in condition for allowance. Because it depends from claim 1, claim 2 is also believed to be in condition for allowance.

**B. Rejections Under 35 U.S.C. § 102(b)**

The Examiner rejected claims 9-11 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,144,212, issued to Mizuta.

Claim 9 has been amended to include the following language, “manufactured according to the method of claim 1 incorporate the limitations.” Accordingly, for the same reasons that amended claim 1 is believed to be in condition for allowance, claim 9 is now believed to be in condition for allowance.

**C. Rejections Under 35 U.S.C. § 103(a)**

The Examiner rejected claim 3 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,448,506, issued to Glenn et al. in view of obvious design choices, rejected claims 4-8 under 35 U.S.C. § 103(a) as obvious over the Glenn reference in view of the Mizuta reference, and rejected claims 12-14 under 35 U.S.C. § 103(a) as obvious over the Mizuta reference in view of obvious design choices.

Claim 3 depends from claim 1. In addition, at the time the present application was filed, it was not obvious to utilize etching methodology to fabricate test probes. Accordingly, for the same reasons amended claim 1 is believed to be in condition for allowance, claim 3 is believed to be in condition for allowance.

Claim 4 includes the limitations recited in claim 1. Accordingly, for the same reasons amended claim 1 is believed to be in condition for allowance, claim 4 is believed to be in condition for allowance. In addition, the Mizuta reference teaches a mechanical method for fabricating probes. As a result, and particularly in view of the amendments made to claim 1, the applicants respectfully submit that the Mizuta reference is not applicable. Because claims

3-8 depend from claim 4, for the same reasons, they are also believed to be in condition for allowance.

Regarding claims 12-14, the same arguments made with respect to claims 4-8 apply. Claim 12 includes the limitations recited in claim 9, which now includes the limitations of claim 1. Accordingly, for the same reasons amended claim 1 is believed to be in condition for allowance, claim 12 is believed to be in condition for allowance. In addition, the Mizuta reference teaches a mechanical method for fabricating probes. As a result, and particularly in view of the amendments made to claim 1, the applicants respectfully submit that the Mizuta reference is not applicable. Because claims 13 and 14 depend from claim 12, for the same reasons, they are also believed to be in condition for allowance.

#### **D. Summary**

In the present Office Action, claims 1-9 and 11-14 were examined. Claims 1-9 and 11-14 are rejected, no claims are objected to, and no claims are allowed.

By this Amendment, claims 1 and 9 are amended and no claims have been added. Accordingly, claims 1-9 and 11-14 are presented for further examination. No new matter has been added. By this Amendment, claims 1-9 and 11-14 are believed to be in condition for allowance, or alternatively, in better condition for appeal. Therefore, because this amendment is believed to be proper under the provisions of 37 CFR 1.116, its entry is respectfully solicited.

Accordingly, Applicant submits that none of the references, alone or in combination, anticipate or make obvious the invention as presently claimed and that the application is now in condition for allowance. Therefore, Applicant respectfully requests reconsideration and further examination of the application and the Examiner is respectfully requested to take such proper actions so that a patent will issue herefrom as soon as possible.


If the Examiner has any questions or believes that a discussion with Applicant's attorney would expedite prosecution, the Examiner is invited and encouraged to contact the undersigned at the telephone number below.

Amendment Under 37 CFR 1.116  
Expedited Procedure  
Art Unit: 2829  
SN 10/027,146

Please apply any credits or charge any deficiencies to our Deposit Account No. 23-1665.

Respectfully submitted,  
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